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July 13, 2022

VIA ECF

Honorable Timothy M. Reif
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *Gerald Roland v. City of New York, et al.*,
20 Civ. 5392 (TMR)

Your Honor:

I am an Assistant Corporation Counsel in the Office of Hon. Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, representing defendants City of New York ("City"), Mohammed Rios, Raphael Mero, and UC 322 in the above-referenced matter. Pursuant to the Court's Order dated July 11, 2022 (Docket Entry No. 45), the parties write jointly to respectfully: (1) provide an update to the Court on the status of this case; and (2) request that the Court adjourn the post-discovery conference scheduled for August 9, 2022.

Adjournment of Conference. On August 8–10, 2022, defense counsel is scheduled to conduct a trial in the matter *Caldwell v. Officer Geronimo*, 19 Civ. 8253 (SLC) before this Court, and, as such, will not be able to join the post-discovery conference on August 9, 2022, at 10:00 a.m. Accordingly, with plaintiff's consent, defendants respectfully request that the Court adjourn the post-discovery conference for a date and time the following week that is convenient for the Court. Counsel for both parties are available on August 15, 17, 18, or 19.

Settlement. On March 19, 2021, the parties participated in a mediation in accordance with Local Civil Rule 83.10, paragraph 8. The parties have not discussed settlement since that mediation, and the parties agree that further settlement discussions are not likely to be successful.

Dispositive Motion Practice. Defendants intend to move for summary judgment. The parties will be prepared to propose a briefing schedule at the upcoming conference.

The parties thank the Court for its consideration of this matter.

Respectfully submitted,



Jeffrey F. Frank

Assistant Corporation Counsel

Special Federal Litigation Division

/s/ Rebecca Abraham, Esq. For Sim & DePaola, LLP

Rebecca K. Abraham

Sim & DePaola, LLP

Attorney for Plaintiff

SO ORDERED that the post-discovery conference scheduled for August 9, 2022, is adjourned and will take place on Wednesday, August 24, 2022, at 2:00pm ET via teleconference. It is further ORDERED that the joint pretrial order and additional submissions required by Rule 6 of the Court's Individual Rules and Practices shall be due 30 days from the post-discovery conference, or if any dispositive motion is filed, 30 days from the Court's decision on such motion. This case shall be trial ready 60 days from the post-discovery conference or from the Court's decision on any dispositive motion.

7/19/2022



TIMOTHY M. REIF, JUDGE
UNITED STATES COURT OF
INTERNATIONAL TRADE
SITTING BY DESIGNATION
UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF
NEW YORK